

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

v.

MICHAEL DELAHANTY *et al.*

Criminal Action 21-872 (MAS)

**ORDER**

This matter comes before the Court on Defendants Michael Delahanty (“Delahanty”) and Justin Ubry’s (“Ubry”) Motions to Dismiss the Indictment. (ECF Nos. 40, 41.) The Government opposed. (ECF No. 44.) On September 20, 2022, the Court held oral argument on Delahanty and Ubry’s motions to dismiss. At the close of oral argument, and on careful consideration of the parties’ positions, the Court issued its decisions and findings of law on the record. (*See* ECF No. 50.) In this Order, the Court hereby memorializes its rulings.

**IT IS**, on this **21st** day of September 2022, **ORDERED** as follows:

1. Delahanty’s Motion to Dismiss the Indictment (ECF No. 41) is **DENIED**.
2. Ubry’s Motion to Dismiss the Indictment (ECF No. 40) is **GRANTED**.
3. Count Two of the Indictment (ECF No. 1) against Ubry is **DISMISSED** under Federal Rule of Criminal Procedure 12(b)(3)(B)(v).



MICHAEL A. SHIPP  
UNITED STATES DISTRICT JUDGE